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FLOOR DEBATE

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LB 1021

SENATOR JENSEN: Thank you, Mr. Speaker, members of the Legislature. AM3106 contains provisions of LB 1096 which was heard by the Health and Human Services Committee. This is the last amendment to this bill and advanced unanimously by the committee. The bill was brought by the Health and Human Services System, changes provisions relating to the licensure and regulation of swimming pools and spas. The bill was introduced to update statutes relating to the regulation of swimming pools to take in account the many types of pools and bather facilities now being operated within the state. Spa is included within the definition of swimming pool in the Section 71-4301 and is defined as a device designated for recreational use and not to be drained, cleaned, or refilled after each individual use, and may consist of elements including but not limited to hydrojet circulation, hot water, cold water, mineral baths, air induction systems, and any combination thereof. The definition of swimming pool in Section 71-4301 is also expanded to include the many different types of bather facilities and pools not only for public swimming but also for wading, diving, recreational or instruction. Swimming pools did not include an artificial lake or a private residence pool or a pool operated exclusively for medical treatment, physical therapy, water rescue training or diver training. Section 71-4302 requires the Department of Health and Human Services Regulation and Licensure to prepare and adopt and have printed minimum sanitary and safety requirements for the design, construction, equipment and operation of swimming pools and bather preparation facilities. LB 1096 amends Section 71-4302 to require that regulations adopted by the department related to swimming pools provide for waivers and variances of design standards and conditions for the granting of such waivers and variances. Section 71-4305 is amended to require the department to classify swimming pools in rules and regulations. Actually what this is, there are many types of pools today that we didn't have at one time. We have the wave pools, we have lap pools. Anything you can imagine. And at one time, we were really talking about a standard rectangular pool or a kidney shaped pool and that was it. And so we have many different types of pools, many different types of spas that we really we had no regulation, or we had little regulation on, and this just brings everything up to date. I would urge for the adoption of AM3106.